

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Laura Brown	Team: Team # 2	CCRB Case #: 200614453	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Monday, 10/23/2006 3:30 PM	Location of Incident: § 87(2)(b)	Precinct: 71	18 Mo. SOL 4/23/2008	EO SOL 4/23/2008	
Date/Time CV Reported Fri, 10/27/2006 8:07 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 10/27/2006 8:08 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Paul Parkinson	10589	935466	071 PCT
2. POM Frank Bulzoni	02681	936258	071 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Jessica Navarro	29081	937168	071 PCT
2. POM Charles Miele	13297	939037	071 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Frank Bulzoni	Abuse: At § 87(2)(b) Officer Frank Bulzoni refused to provide his name and shield number to § 87(2)(b)	
B.POM Frank Bulzoni	Abuse: Officer Frank Bulzoni entered § 87(2)(b)	
C.POM Paul Parkinson	Abuse: Officer Paul Parkinson entered § 87(2)(b)	
D.POM Paul Parkinson	Force: Officer Paul Parkinson used physical force against § 87(2)(b)	
E.POM Frank Bulzoni	Force: Officer Frank Bulzoni used physical force against § 87(2)(b)	
F.POM Paul Parkinson	Force: Officer Paul Parkinson tightly handcuffed § 87(2)(b)	
G.POM Frank Bulzoni	Abuse: At the 71st Precinct, Officer Frank Bulzoni refused to provide his name and shield number to § 87(2)(b)	

Synopsis

On October 23, 2006, at 3:30 PM, Officer Jessica Navarro and Officer Frank Bulzoni responded to § 87(2)(b) where a dispute was occurring between two sisters, § 87(2)(b) and § 87(2)(b). The officers spoke to the sisters in the § 87(2)(b)-floor hallway for a few minutes before a third sister, § 87(2)(b) came up the stairs. § 87(2)(b) argued with Officer Bulzoni. An officer called for backup, and § 87(2)(b) went into her apartment to make a phone call. When § 87(2)(b) returned to the hallway, Officer Parkinson and Officer Miele had arrived. When Officer Bulzoni said he was arresting her sisters, § 87(2)(b) approached § 87(2)(b) as she was being arrested and attempted to remove items from her sister's pockets. Officer Bulzoni pulled her hands out of the pockets. § 87(2)(b) asked for Officer Bulzoni and Parkinson's badge number. Officer Parkinson provided his, but Officer Bulzoni did not (allegation A), saying instead, "I'm going to arrest her." When § 87(2)(b) heard this, she backed into her apartment, and Officers Bulzoni and Parkinson followed to arrest her (allegations B and C). Officers Bulzoni and Parkinson grabbed § 87(2)(b)'s jacket, pulled her arms to handcuff them, and simultaneously slammed her multiple times against the hallway wall (allegations D and E), and arrested her. After being handcuffed, § 87(2)(b) told Officer Bulzoni and Officer Parkinson that her handcuffs were too tight, and in response, Officer Parkinson tightened her handcuffs (allegation F). § 87(2)(b) was taken to the 71st Precinct stationhouse and then to § 87(2)(b) where her left arm was examined. § 87(2)(b) was charged with resisting arrest and obstructing governmental administration. When § 87(2)(b)'s mother, § 87(2)(b) arrived at the 71st Precinct stationhouse, she asked Officer Bulzoni for his badge number, which he would not provide (allegation G).

§ 87(2)(g)

Summary of Complaint

§ 87(2)(b)

§ 87(2)(b) sent a complaint via e-mail to the CCRB on October 27, 2006 (encl. 4a-f). On November 20, 2006, § 87(2)(b) was interviewed at the CCRB (encl. 6a-f). She provided the following statement, § 87(2)(g)

At approximately 3:30 PM on October 23, 2006, § 87(2)(b) (the complainant's mother), called § 87(2)(b) who informed her that § 87(2)(b) (the complainant's older sister) had assaulted § 87(2)(b) (the complainant's younger sister). § 87(2)(b) who was not present at the scene, asked for § 87(2)(b) to return home. § 87(2)(b) resided in § 87(2)(b)'s home at § 87(2)(b) in Brooklyn. § 87(2)(b) described the residence as a building complex; the entrance had a long hallway met by a flight of stairs. The upstairs staircase led to another hallway, where a number of apartments were located. The § 87(2)(b) residence occupied the final apartment on the right-hand side. The entrance door led first to the kitchen and then to a living room.

When § 87(2)(b) arrived home, she observed marked police vehicles surrounding the property. Officer Bulzoni (whose name was provided by § 87(2)(b) and Officer Navarro (identified by the CCRB investigation) were present with § 87(2)(b)'s two sisters, § 87(2)(b) and § 87(2)(b) in the second floor common hallway. The confrontation between both sisters had already occurred. § 87(2)(b) described Officer Bulzoni as a uniformed, slim, white male officer, approximately 5'7" tall. Officer Navarro was a uniformed Hispanic female officer, approximately 5'5", with shoulder length brown hair.

When first entering the hallway in front of the residence, § 87(2)(b) was met by § 87(2)(b) who apparently suffered injuries from the confrontation with § 87(2)(b). § 87(2)(b) described the injuries as being “reddish and blackish” marks resembling fingerprint impressions; these marks were located on the left side of her face. Both officers were speaking with § 87(2)(b) on the opposite side of the hallway.

§ 87(2)(b) overheard Officer Bulzoni “calling for a pickup”. Officer Bulzoni informed § 87(2)(b) that § 87(2)(b) was to be arrested for threatening § 87(2)(b) with a knife. § 87(2)(b) concluded that both her sisters were to be arrested, and she went into the apartment to call her mother. When § 87(2)(b) came back into the hallway, two other officers, Officer Parkinson (whose name § 87(2)(b) provided) and Officer Miele (identified by the CCRB investigation), had arrived at the scene. § 87(2)(b) described Officer Parkinson as a uniformed African American officer, approximately 5’9”, over 200 pounds, with low cut hair. Officer Miele was a uniformed, muscular, Hispanic male; § 87(2)(b) was unable to provide more details. § 87(2)(b) then spoke with her sister, § 87(2)(b) and § 87(2)(b) asked her if she had any money on her person. When § 87(2)(b) replied that she did, § 87(2)(b) intended to remove § 87(2)(b)’s earrings from her ears and take the money located in her left jeans’ pocket. As § 87(2)(b) reached into her sister’s pocket, Officer Bulzoni took § 87(2)(b)’s right hand out of the pocket, causing the money and earrings to land on the ground. Conversely, in § 87(2)(b)’s e-mail complaint, she stated “Officer Bulzoni then told me to take my hand out of her pocket, which I immediately did.”

§ 87(2)(b) commented to the officers, “This is really messed up. Why are you arresting § 87(2)(b)”. She noted that Officer Parkinson replied impolitely. § 87(2)(b) continued, stating, “I want your badge number because you are being very rude to me, and I ain’t did nothing. I have nothing to do with this.” Officer Parkinson provided § 87(2)(b) with his badge number, which she saved on her cell phone as 10589. § 87(2)(b) proceeded to ask Officer Bulzoni for his badge number, and he turned his back against her. Officer Bulzoni then stated to Officer Parkinson, “I’m going to arrest her.”

Officer Bulzoni turned to face § 87(2)(b) taunting her by saying, “You want the badge number, come and get it.” § 87(2)(b) who was standing 15 to 20 feet away from the entrance of the apartment, backed farther into the kitchen because Officer Bulzoni’s response made her think he was going to arrest her too. Officer Bulzoni asked her why she was backing up. With his forearm, Officer Parkinson brushed § 87(2)(b) § 87(2)(b)’s father) aside; § 87(2)(b) had been standing in front of the entrance doorway. Officer Parkinson and Officer Bulzoni grabbed § 87(2)(b) by her jacket; Officer Parkinson gripped on the left side, while Officer Bulzoni pulled on the right.

Officer Parkinson took § 87(2)(b)’s left arm and extended it upward, touching it to her head. Officer Bulzoni removed § 87(2)(b)’s hat from her head and tossed it to the ground. Officer Bulzoni then took her right arm, placed it on her back, and handcuffed her. § 87(2)(b) alleged that the officers “slammed” her into a wall; her right ear forcefully made contact with the wall. § 87(2)(b) exclaimed, “My hand, my hand. They kept slamming me on the wall...you is hurting my hand and you is hurting me.” § 87(2)(b) said the officers kept saying she had “a lot of mouth.” The slams into the wall resulted in the right side of her face being swollen; § 87(2)(b) witnessed this part of the incident. When § 87(2)(b) described her handcuffing in her e-mail complaint, she only noted she was slammed against the wall once, and she said she was “violently dragged” into the hallway.

In the downstairs hallway, § 87(2)(b) reiterated how the handcuffs were too tight; she asked the officers to loosen them. Officer Bulzoni replied, “You have a lot of mouth, right?” Officer Parkinson proceeded to tighten her handcuffs.

§ 87(2)(b) claimed that the officers never affirmed the reason for her arrest during the innocent; she later contradicted this statement by noting that Officer Bulzoni told her the arrest regarded assaulting an officer. Officer Bulzoni stated, “When I pulled your hand out of your sister’s pocket, you punched me in my face.” During this incident, § 87(2)(b) § 87(2)(b) (another younger sister of § 87(2)(b) § 87(2)(b) Officer Navarro, and Officer Parkinson were in close vicinity of § 87(2)(b) and Officer

Bulzoni, § 87(2)(b)'s son, § 87(2)(b) (§ 87(2)(b) years old) and daughter, § 87(2)(b) (§ 87(2)(b) years old) also witnessed the incident.

§ 87(2)(b) and § 87(2)(b) were taken to a precinct; PO5 helped put § 87(2)(b) into a marked RMP and transported her. § 87(2)(b) depicted PO5 as a uniformed white woman, approximately 5'8", average weight, with blond long hair. § 87(2)(b) cannot recollect the description of PO5's partner, PO6 (male), who sat in the passenger side of the vehicle. § 87(2)(b) noted that at the precinct, she felt that her "muscles were swollen." § 87(2)(b) requested medical attention from Officer Navarro because her arm was hurting her. EMS transported her to § 87(2)(b), where doctors informed § 87(2)(b) that she had a bruised arm and swollen ear. § 87(2)(b) was given pain medicine for her arm and ear. § 87(2)(b) stated that when the handcuffs were removed, her wrists were bruised and her skin was abraded.

At the 71st Precinct, § 87(2)(b) received Officer Bulzoni's badge number (it is unknown how, as § 87(2)(b) did not cooperate with the investigation), as § 87(2)(b) was unable to get it because he had taken off his jacket and badge. This occurred after § 87(2)(b) § 87(2)(b) (another younger sister of § 87(2)(b) and § 87(2)(b) (an acquaintance of § 87(2)(b) tried to retrieve Officer Bulzoni's badge number a few times. § 87(2)(b) later told § 87(2)(b) of the refusal because § 87(2)(b) was in the holding cells at that time. § 87(2)(b) estimated she was transported to the hospital sometime around 5 PM and returned to the precinct by 11 PM.

§ 87(2)(b) was charged with § 87(2)(b) [§ 87(2)(b)] [§§ 86(1) (2)&(3)&(4)&(5)&(6)]

Results of Investigation

Civilians Not Interviewed

§ 87(2)(b)'s statement indicated that there were several § 87(2)(b) family members who were witnesses to the allegations. Namely, § 87(2)(b)'s arrested sisters, § 87(2)(b) and § 87(2)(b) should have seen any allegations occurring in the apartment hallway. § 87(2)(b)'s father, § 87(2)(b) may have also have witnessed allegations occurring in the hallway, but he certainly should have seen anything that occurred in the apartment itself. § 87(2)(b) stated that her mother, § 87(2)(b) and another sister, § 87(2)(b) both witnessed Officer Bulzoni refuse to provide his badge number to § 87(2)(b) at the 71st Precinct stationhouse. In order to investigate Officer Bulzoni's alleged refusal to provide his badge number, one of these individuals had to cooperate with the CCRB and appear for an interview. Between January 29, 2007 and March 9, 2007, the § 87(2)(b) (who all live together and use the same home phone) were contacted 6 times by phone and twice via letters. § 87(2)(b) was informed at her CCRB interview that each of the family members in her complaint would need to make statements. No one from the household responded to the CCRB.

Officer Frank Bulzoni

On April 13, 2007, Officer Frank Bulzoni appeared at the CCRB and provided the following statement (encl. 7a-e).

On October 23, 2006, Officer Bulzoni worked from 1500 to 2335 hours patrolling sectors A and C. He was in uniform and working with Officer Jessica Navarro in marked RMP 1245 as the operator. Officer Bulzoni had the following entries related to this incident in his memo book:

1544: 52F at § 87(2)(b) Sprint § 87(2)(b)
1550: 52F at § 87(2)(b) again now with a knife.
1632: 92C at § 87(2)(b) for § 87(2)(b)

On October 23, 2006 at approximately 1550 hours, Officer Bulzoni and Officer Navarro answered a radio run for a family dispute at § 87(2)(b). Officer Bulzoni remembered no additional details about the call except that the dispute involved a knife. When the two officers arrived on the second

floor, Officer Bulzoni remembered there were two women present, one in the hallway, and another in the doorway. Officer Bulzoni surmised the two women were sisters, and at the time of the interview, Officer Bulzoni could not recall which sister was which. The two sisters were fighting, yelling and cursing at each other. Officer Bulzoni observed the father of the women just beyond the doorway to an apartment off the hallway. Officer Bulzoni asked the women what was going on and who else was involved, and their father, § 87(2)(b) (identified by the investigation), stood at the apartment doorway said that he did not want to be involved. He left the area of the apartment near the door.

Officer Bulzoni then took one of the sisters aside in the hall, as did Officer Navarro with the other sister. Officer Bulzoni asked questions of the sister he took aside. According to his documentation, Officer Bulzoni believed he had spoken with § 87(2)(b) because she was the sister who had claimed to be menaced and pointed out the knife to him. § 87(2)(b) did this by saying that the knife was in the kitchen. She then went to the door to the apartment, opened the door, and pointed to the knife. Officer Bulzoni saw this knife, and to him, § 87(2)(b)'s body language, the fact that she opened the door, and her pointing to the knife indicated that she granted Officer Bulzoni permission to enter the apartment and obtain the knife. Officer Bulzoni stepped into the apartment, and he picked up the knife (lying in the kitchen less than 10 feet from the front door) and placed it in his back pocket. Officer Bulzoni did not enter any other parts of the apartment because he was at that time separated from his partner, and with the father and a small child in the house, Officer Bulzoni said it would have been "tactically bad" for him to do anything in the apartment.

Officer Bulzoni returned to the hallway and again began talking to § 87(2)(b). While they were speaking, § 87(2)(b) arrived on the scene (approximately 5 minutes after Officer Bulzoni had arrived). As soon as she saw officers, she began cursing, saying, "What the fuck are the cops doing here? I don't want the cops in our business. We can take care of this ourselves." Officer Bulzoni told § 87(2)(b) to step aside so that they could determine what happened. The two sisters were to be arrested because § 87(2)(b) had visible signs on her face of having been assaulted (he believed punched in the face) by § 87(2)(b). Because § 87(2)(b) had menaced her sister, she too would be arrested. § 87(2)(b) heard this comment and said, "Fuck you. You're not taking my sisters." Officer Bulzoni radioed for backup. Officer Navarro handcuffed one of the sisters, and § 87(2)(b) put her hands in her handcuffed sister's pockets, cursing at Officer Bulzoni, calling him a "long-nosed Jew." She repeatedly said, "Fuck you," to him. She then said, "I'm gonna have your badge; you can't be here." Officer Bulzoni told § 87(2)(b) to step aside, and she complied. Officer Bulzoni began to handcuff the second sister, and § 87(2)(b) again interfered. She got between Officer Bulzoni and her sister, putting her hands in her right pants pocket and pulling on her. Officer Bulzoni did not observe § 87(2)(b) actually pull anything out of her sister's pockets. Officer Bulzoni did not hit § 87(2)(b)'s hands away. § 87(2)(b) continued to curse at Officer Bulzoni, and when he again told her to back away, she flailed her arms, hitting him on the shoulder. Officer Bulzoni told § 87(2)(b) she was now under arrest for § 87(2)(b). § 87(2)(b) continued cursing at Officer Bulzoni, and told him she was not going anywhere with him. § 87(2)(b) held her hands out in front of her so that Officer Bulzoni could not easily handcuff her. She started to walk away, and Officer Bulzoni handed off the sister he had just handcuffed to Officer Parkinson so that he could arrest § 87(2)(b). § 87(2)(b) saw Officer Bulzoni coming for her, and she crossed her arms, squatted down, and "wiggled" to keep him from handcuffing her. Officer Bulzoni grabbed one of her arms; Officer Parkinson grabbed the other. The two of them together handcuffed her. § 87(2)(b) never made contact with a wall or was slammed against a wall. Officer Bulzoni could not remember the dimensions of the hallway, but he felt that the handcuffing took place "nowhere near a wall."

Officer Bulzoni did not know who transported § 87(2)(b) back to the stationhouse. Officer Bulzoni did see § 87(2)(b) again at the stationhouse. While she was in the holding cell, he heard her yelling out, "Officer! Officer!" He went over to the cell, and she stated that her wrist was hurting. Officer Bulzoni was not aware of how her wrist had become injured, stating she had never complained about the handcuffs being too tight, and no one had tightened them. § 87(2)(b) asked Officer Bulzoni for his name and shield number, which he provided verbally. § 87(2)(b) was taken to § 87(2)(b) but Officer Bulzoni did not take her. When she returned, she had no bandages or cast.

Also while Officer Bulzoni was at the stationhouse, § 87(2)(b)'s mother appeared. When she asked for Officer Bulzoni's name and shield number, he verbally provided it. She asked to borrow his pen, but he stated he would not allow it. She then found her own and asked Officer Bulzoni again for his and his partner's name and shield number. Officer Bulzoni provided them verbally, and she wrote them down. Officer Bulzoni only remembered the mother appearing at the stationhouse. He stated he never used any profanities or discourteous language with her or any of the § 87(2)(b) family members. Officer Bulzoni stated that the feuding sisters were completely compliant with him; only § 87(2)(b) resisted. Officer Bulzoni stated the decision to arrest the feuding sisters was made mutually by both Officer Bulzoni and Officer Navarro. Officer Bulzoni had made the decision to arrest § 87(2)(b). Officer Bulzoni did not believe any officer was injured in the incident. Once the three sisters were handcuffed, they were searched. Nothing was found on any of them, and no other weapon (besides the kitchen knife) was recovered from the scene. Officer Bulzoni did not know if Officer Navarro had spoken with § 87(2)(b) at any point.

Officer Jessica Navarro

On March 26, 2007, Officer Navarro appeared at the CCRB and provided the following statement (encl. 9a-f).

On October 23, 2006, Officer Navarro worked from 1500 to 2335 hours in uniform with Officer Bulzoni in marked RMP 1245, patrolling sectors A and C. She had the following entries in her memo book related to this incident:

1543: 52F at § 87(2)(b)
1547: 52 at *Empire and Washington*.
1555: 52F at § 87(2)(b), now with a knife.
1632: 92C at § 87(2)(b).
1635: 90 X (*Empire and Washington*).
1635: 84 at 71 precinct.
1700: In PJT.

At approximately 1543 hours on October 23, 2006, Officer Navarro and her partner, Officer Bulzoni, were at a "higher priority job" when Officer Navarro heard a radio run for a family dispute at § 87(2)(b). The officers stayed with their current job until 1555, when the call was upgraded because the fight included a knife. Officer Navarro did not remember any more details about the call except that it was placed by one of the § 87(2)(b) sisters. Officer Navarro estimated that it took them 3 minutes to arrive at the apartment building. Officer Navarro had been to the building before, but had no previous (or subsequent) interactions with the § 87(2)(b) in apartment § 87(2)(b). When the officers arrived on the second floor, two females were arguing in a long, small hallway. They stood in front of § 87(2)(b) their apartment located on the opposite end of the hallway than the stairs. Officer Navarro did not recall if the door to the apartment was open or shut at this point.

Officer Bulzoni asked the women what was happening, and he began speaking with one sister while Officer Navarro spoke with the other; the officers stood just a few feet apart, facing each other. Officer Navarro could not distinguish between the two sisters in her CCRB interview. One sister was in pajamas with "hair all over the place." Officer Navarro did not remember the condition of the other sister. One sister was saying that her sister had assaulted her, hitting her in the head and pulling her hair. Officer Navarro noted visible injuries to the woman's face, but did not recall what or where they were. One of the sisters mentioned that the knife which her sister had used to menace her was in their apartment. Officer Navarro and Officer Bulzoni knocked on the door. § 87(2)(b) answered, and Officer Bulzoni asked if he could enter and take the knife that the sister had indicated was on a kitchen countertop. Officer Navarro stated that the kitchen was very small and close to the front door. The knife was sitting on top of a countertop that was visible from her position, standing in the apartment doorway, holding open the door. § 87(2)(b) walked with Officer Bulzoni to pick up the knife, but there were multiple knives on the countertop. § 87(2)(b) did not know which knife it was, and so Officer Bulzoni left the apartment without taking a knife. Nothing was removed from the home.

After Officer Bulzoni exited the apartment, a third sister, § 87(2)(b) came up the building's stairs, cursing and saying, "What the fuck is going on?" By § 87(2)(b)'s demeanor, Officer Navarro knew that the situation would escalate, so she called on her radio for a second sector car to back them up. Officer Navarro and Officer Bulzoni told § 87(2)(b) to go into her apartment; they would speak to her when they had finished speaking with the feuding sisters. § 87(2)(b) told them she did not have to go inside, and she wanted to speak to one of her sisters. § 87(2)(b) did go into the apartment anyway.

Officer Bulzoni and Officer Navarro did not start to handcuff the sisters until Officer Parkinson and his partner, Officer Miele, arrived. Officer Navarro handcuffed one of the sisters, and she was compliant. As Officer Navarro approached the other sister to handcuff her, § 87(2)(b) came out of the apartment, screaming and physically coming between her sister and Officer Navarro. § 87(2)(b) grabbed at her sister's arms, attempting to prevent Officer Navarro's attempts to handcuff the sister. Officer Navarro held out her own hand to keep § 87(2)(b) from coming near her. Officer Bulzoni and Officer Parkinson pulled § 87(2)(b) from Officer Navarro. The officers turned her around and placed her against the hallway wall. Officer Navarro did not remember if § 87(2)(b)'s head, face, or ear made contact with the wall. In the process of being handcuffed, § 87(2)(b) was swinging her arms around and hit Officer Bulzoni in the face. She was then handcuffed, yet she continued to yell and curse at the officers. Officer Navarro then handcuffed the second sister, who was compliant.

Officer Navarro did not know who transported the sisters to the stationhouse. When she arrived at the stationhouse, the sisters were logged in, searched, and placed into a cell. Officer Navarro performed all the searches of the women, and she did not recall finding any contraband on any of them. Officer Navarro did not note any injuries on § 87(2)(b). She also never saw any officer tightening § 87(2)(b)'s handcuffs. Officer Navarro did remember § 87(2)(b) complaining of pain to Officer Bulzoni and Officer Navarro, though she did not recall if the ambulance was called because § 87(2)(b) requested medical attention or if the officers just called without being prompted. § 87(2)(b) was taken to § 87(2)(b) but Officer Navarro did not know by whom.

While at the stationhouse, Officer Navarro and Officer Bulzoni were approached by § 87(2)(b)'s mother, who wanted to know what was happening. She asked Officer Bulzoni for his name and shield, but she did not have a pen. She asked to borrow Officer Bulzoni's pen, but he refused. She found one of her own and asked Officer Bulzoni for his name and badge number. Officer Bulzoni wrote down his name and shield number on a piece of paper and gave it to her. She did not ask Officer Navarro's name or shield number. Officer Navarro did vaguely remember the presence of another female family member at the stationhouse, but she did not speak with the woman.

Officer Paul Parkinson

Officer Paul Parkinson appeared for his interview at the CCRB on March 8, 2007. He provided the following narrative (encl. 8a-e).

On October 23, 2006, Officer Parkinson worked from 1500 – 2335 hours with Officer Miele. They were assigned to marked RMP 1847. Officer Parkinson had no entries in his memo book related to this incident.

On October 23, 2006, at approximately 3:45 PM, Officer Parkinson and Officer Miele received a radio call regarding § 87(2)(b). Officer Parkinson did not remember the nature of the call but remarked that it probably took him and Officer Miele five minutes to arrive at § 87(2)(b). Officer Parkinson described the apartment complex as "large" with two main entrances and a batch of § 87(2)(b) facing § 87(2)(b) and another § 87(2)(b) facing a separate road. Each of these floors had a lobby/hallway area, and when Officer Parkinson and Officer Miele arrived, Officer Bulzoni and his partner, Officer Navarro, were with three females in one of these "20 feet long" hallways. Officer Parkinson had heard § 87(2)(b) screaming at officers from the floor below when he entered. Two of the individuals the officers encountered were sisters who had a dispute and were both injured (Officer Parkinson never observed these injuries), and one of these sisters was already under arrest and handcuffed. The other sister was in the process of being handcuffed, and a third sister, § 87(2)(b) was "interfering" with the arrest of the

second sister by “jumping between Officer Bulzoni and one of the females.” Officer Parkinson was largely unable to distinguish between the two fighting sisters at the time of the interview. § 87(2)(b) was “putting her hands on Officer Bulzoni” as well as her sister, trying to “push [Officer Bulzoni] off of her sister ... to stop him from handcuffing her. She was touching his arms and chest, pushing and blocking.” § 87(2)(b) was also “trying to go into her sister’s pockets.”

Officer Parkinson had heard Officer Bulzoni tell § 87(2)(b) several times to go back inside the apartment, but she never complied. The § 87(2)(b) sister who was dealing with § 87(2)(b) complied with Officer Navarro’s orders. When § 87(2)(b) refused to stop interfering with the arrest by continuing to try to take items from her sister’s pockets, Officer Bulzoni grabbed § 87(2)(b) s hands, pulled them out of her sister’s pockets, and decided to arrest § 87(2)(b) for § 87(2)(b). When Officer Bulzoni went to handcuff § 87(2)(b) she resisted by “flailing her arms” and “moving her body around.” It took both Officer Bulzoni and Officer Parkinson “1-2” minutes to handcuff her, which Officer Parkinson said was unreasonable for it to take two officers that long to arrest someone unless the individual was uncooperative. § 87(2)(b) was turned toward a wall to be handcuffed, but no part of her body touched the wall. Officer Parkinson had grabbed § 87(2)(b) s right arm, while Officer Bulzoni had grabbed her left. Officer Bulzoni handcuffed her, and Officer Parkinson did not remember who took her to an RMP or escorted her to the stationhouse. Officer Parkinson knew he transported one of the sisters to the stationhouse; he did not remember which § 87(2)(b) it was specifically.

Officer Parkinson did not know how long it took to handcuff § 87(2)(b) or who had handcuffed her. Officer Parkinson never heard any of the civilians ask for medical attention. Officer Parkinson did not notice if any other people were around during the incident, though he did note that the sisters’ family stood in the doorway to their apartment.

Officer Parkinson did not recall § 87(2)(b) ever returning to her apartment during the incident; officers never entered the apartment while he was present. Officer Parkinson did hear § 87(2)(b) cursing at Officer Bulzoni, calling him a “long-nosed Jew,” “white trash piece of shit son of a bitch.” Officer Parkinson did not remember § 87(2)(b) saying anything to him directly. Neither § 87(2)(b) nor any of her family members asked Officer Bulzoni for his name or badge number.

Officer Parkinson had never been inside the § 87(2)(b) s apartment on any previous or subsequent occasion; he may have been in the apartment complex previously. Officer Parkinson could not remember what Officer Miele was doing during the incident. Officer Parkinson did not observe Officer Bulzoni pulling off the hat of § 87(2)(b) but stated that it may have been done in this case because it is routine that officers will take off the hat of someone being arrested because it may contain a weapon. Officer Parkinson did not know if a frisk or search of § 87(2)(b) or either of her sisters was conducted at the scene. At the stationhouse, Officer Parkinson did see § 87(2)(b) at the desk, but again he saw no injuries, nor did she complain of any or ask for medical attention. Officer Parkinson did not remember any of the other § 87(2)(b) family members being at the stationhouse, and he was not asked by any § 87(2)(b) family members for his name or shield at any point.

Officer Charles Miele

On June 26, 2007, Officer Charles Miele appeared at the CCRB and provided the following statement (encl. 10a-d).

On October 23, 2006, Officer Miele worked in uniform from 1500 to 2335 hours with Officer Parkinson in a marked RMP. Officer Miele did not have any entries in his memo book for this day.

Officer Miele and Officer Parkinson received a call for back up in the afternoon of October 23, 2006, from Officer Bulzoni and Officer Navarro. When Officer Miele and Officer Parkinson arrived two minutes later, Officer Bulzoni and Officer Navarro explained there was a cross complaint of assault between two sisters, § 87(2)(b) and § 87(2)(b). The two sisters stood in the hallway of the § 87(2)(b) floor, across from their apartment. Officer Miele stated their father, § 87(2)(b) may have peered into the hallway during the incident, but otherwise only the sisters and the four officers were in the hallway. At some point one of the

officers tried to get § 87(2)(b) to come into the hallway to soothe the tensions between the sisters as they were being arrested, but § 87(2)(b) refused. The first sister (Officer Miele did not remember which one this was) was handcuffed (unknown which officer did this) calmly. When the second sister was being handcuffed (Officer Miele did not know by which officer), she started crying, and § 87(2)(b) a third sister, arrived in the hallway. § 87(2)(b) did not want her sister to be arrested for assault, and so she approached her crying sister. § 87(2)(b) reached into her sister's pocket, tried to pull her away, and grabbed onto one of the officer's arms to prevent him from handcuffing her. § 87(2)(b) was acting "ridiculous the whole time," being "loud and obnoxious" and saying, "Fuck you," to officers and calling one of them a "long-nosed Jew." Officer Miele believed it might have been Officer Bulzoni who § 87(2)(b) was grabbing. Once § 87(2)(b) began interfering with the arrest of her sister, an officer (Officer Miele did not know which) grabbed her hands and tried to handcuff her. § 87(2)(b) resisted, but Officer Miele could not elaborate on how she resisted. He did not remember her being placed against a wall or seeing any injuries on her. Officer Miele also did not remember the sisters having visible injuries, though he believed they must have had them since they were arrested for assault, which requires them to have injuries present. No other § 87(2)(b) family members attempted to interfere with the sisters' arrests. Officer Miele did not see any officer retighten § 87(2)(b)'s handcuffs. Officer Miele remembered § 87(2)(b) was taken to the hospital, but he did not know who transported her or when it occurred. He also stated § 87(2)(b) never asked him for medical attention, nor did any of the other sisters.

Officer Miele did remember transporting the first, calm sister to the stationhouse. This sister told him (about § 87(2)(b)) "I don't know why she's like that. Why she got involved in our business." Officer Miele dropped this sister off at the stationhouse desk and left the area. He did not see any family members arrive at the stationhouse or have any subsequent interactions with them.

When asked if any of the § 87(2)(b) asked for his name and shield number, Officer Miele replied, "The whole time I do not remember anyone asking for an officer's name and shield number because they would have asked for mine too." Officer Miele did not hear of any weapons being involved in the incident, nor did he believe any officers were injured in the incident. Officer Miele did not remember § 87(2)(b) wearing a hat, and he did not see an officer throw it to the ground.

Officers Not Interviewed

§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

Medical Records

Ambulance Call Report (ACR, encl. 11c-d)

At 1811 hours, unit 41A3 responded to the 71st Precinct stationhouse, where § 87(2)(b) told EMTs she "was slammed against the wall by police officer" and her "arm hurts from the shoulder down." Her left shoulder was swollen, "no other injury found body wide." She was transported "to hospital with care without injury." Chief complaint: "My left upper arm hurts."

§ 87(2)(b)
Triage notes indicate that EMS applied a sling to § 87(2)(b)'s arm (encl. 11a-m). On her physical exam, § 87(2)(b) was noted to have a bulging tympanic membrane (eardrum) and a discharge from her right ear. § 87(2)(b)'s shoulder and arm were x-rayed, but no abnormality was seen. § 87(2)(b) was diagnosed with a contusion to her left shoulder and otitis media (an ear infection). She was given Tylenol for pain, Zithromycin (an antibiotic) for her ear infection, and released without any additional treatment or medications.

Police Documents

Sprint #§ 87(2)(b) (encl. 12a-c)

The Sprint indicated the call came from a female caller in apartment § 87(2)(b) of § 87(2)(b) at 1541 hours. Sectors listed as responding: 71A, 71G, and 71F. Originally the call for the dispute did not include a knife, then a second 911 call indicated there was a knife, and lastly, sector 71A confirmed there was not a knife involved in the dispute when they arrived. At 1631 hours, females were transported to the stationhouse.

Sprint #§ 87(2)(b) (encl. 12d)

The Sprint indicated a call from the 71st Precinct came over at 1808 hours, asking for an ambulance. The ambulance arrived at 1817 hours and left for § 87(2)(b) at 1853 hours. No sector was noted as escorting the ambulance.

Complaint Report (encl. 13a-b)

§ 87(2)(b) was charged with § 87(2)(b). The narrative noted: “§ 87(2)(g).” The location of the arrest was noted as the hallway, not the apartment itself.

Arrest Report (encl. 14a-b)

§ 87(2)(b)'s arrest report (arrest #§ 87(2)(b)) was largely repetitive of the complaint report. It did note, however, that force was used to “restrain/control/remove” § 87(2)(b). It also noted that she was to be charged with § 87(2)(b).

Roll Call, Tour 3, 71st Precinct (encl. 18a-c)

According to the Sprint, sectors 71A, 71G, and 71F responded to the scene. The roll call named these officers as Officers Bulzoni and Navarro (71A), Officers Parkinson and Miele (71G), and Officers Ayres and Cadigan-Telechea (71F).

71st Precinct Command Log (encl. 18a-c)

At 1635 hours, the 71st Precinct command log indicated that three arrests were brought in: § 87(2)(b), § 87(2)(b), and § 87(2)(b). Their conditions were all listed as normal. § 87(2)(b) was charged with § 87(2)(b); § 87(2)(b) was arrested for § 87(2)(b). § 87(2)(b) was arrested for § 87(2)(b). Noted in the margin of § 87(2)(b)'s entry, “1850 to § 87(2)(b) arm injury. EMS transported by ambulance. From § 87(2)(b) at 2205.”

Prisoner Holding Pen Roster (encl. 17a)

The prisoner holding pen roster showed § 87(2)(b)'s sisters, § 87(2)(b) and § 87(2)(b) as being present in a cell. No entry was made for § 87(2)(b) nor was information provided for the time of entry/exit for her sisters.

Court Documents

§ 87(2)(b)) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Criminal Conviction History

§ 87(2)(b)) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian CCRB History

§ 87(2)(b) has never filed a CCRB complaint previously (encl. 3a).

Subject Officer CCRB History

Officer Bulzoni has no substantiated CCRB allegations in his 2-year tenure with the NYPD (encl. 1a).

Officer Parkinson has no substantiated CCRB allegations in his 3-year tenure with the NYPD (encl. 2a).

Conclusions and Recommendations

Officer Identification

Officers Bulzoni and Parkinson were identified via the complainant, § 87(2)(b) who provided their names at the time of her statements. Other officers were identified using the Sprint and Roll Call. According to the Sprint, sectors 71A, 71G, and 71F responded to the scene. The roll call named these officers as Officers Bulzoni and Navarro (71A), Officers Parkinson and Miele (71G), and Officers Ayres and Cadigan-Telechea (71F). Because § 87(2)(b)'s statement indicated that the officers from sector F did not appear until after her allegations, these officers' statements were not needed. Additionally, no stationhouse officers were identified and interviewed since none of the victims at the stationhouse cooperated with the CCRB's investigation. § 87(2)(b)'s descriptions of the officers and the officer's own accounts of their roles in the incident matched.

Undisputed Facts

On October 23, 2006, at approximately 1600 hours, Officers Bulzoni and Navarro responded to the § 87(2)(b) floor hallway of § 87(2)(b) to find two feuding sisters, § 87(2)(b) and § 87(2)(b). After officers began speaking to them, § 87(2)(b) arrived in the hallway, spoke with § 87(2)(b) and went into her apartment adjacent to the hallway. It is undisputed that § 87(2)(b) came back into the hallway and argued with Officers Bulzoni and Parkinson. § 87(2)(b) herself admitted she reached into the pockets of § 87(2)(b) interfering with her arrest. § 87(2)(b) was arrested after a struggle with Officers Parkinson and Bulzoni. § 87(2)(b) and § 87(2)(b) were also arrested, and all were taken to the 71st Precinct stationhouse, where § 87(2)(b) was later transported via ambulance to § 87(2)(b).

Facts in Dispute

Officer Bulzoni noted that when § 87(2)(b) arrived in the hallway, she immediately started cursing at him and Officer Navarro, arguing with them, and interfering with her sisters' arrests. § 87(2)(b) did not mention that she had cursed at the officers, called Officer Bulzoni a "long-nosed Jew," or resisted being arrested. Officers Bulzoni, Parkinson, Miele, and Navarro did state § 87(2)(b) had behaved in this manner. § 87(2)(b) did indicate she had approached § 87(2)(b) to retrieve her valuables from her pockets, but § 87(2)(b)'s initial narrative contradicted her own sworn statement in this significant instance. In her e-mail to the CCRB, § 87(2)(b) stated that Officer Bulzoni told her to take her hands out of § 87(2)(b)'s pockets and that she had complied. In her sworn CCRB statement, § 87(2)(b) said that Officer Bulzoni pulled her hands out of § 87(2)(b)'s pockets. Officer Bulzoni denied touching § 87(2)(b)'s hands to remove them, but said he had asked her to step aside several times.

Officer Navarro stated that she had called for back up because she could tell from § 87(2)(b)'s behavior that arresting her sisters would escalate § 87(2)(b)'s reaction. When Officers Miele and Parkinson arrived as back up, Officer Miele and Officer Parkinson both noted they had heard § 87(2)(b) screaming at officers all the way from the first floor. Again, § 87(2)(b) did not mention she was screaming, but all the officers noted she was.

§ 87(2)(b) stated she had asked for and received Officer Parkinson's badge number once she found out her sisters were to be arrested. She then asked Officer Bulzoni for his badge number, but he ignored her, telling Officer Parkinson, "I'm going to arrest her." Officer Bulzoni denied being asked for his badge number at this point in the incident, and he stated she was actually under arrest for interfering with his arrests of § 87(2)(b) and § 87(2)(b). Officer Parkinson corroborated Officer Bulzoni's reasoning behind the arrest and that § 87(2)(b) had not asked for Officer Bulzoni's badge number in his presence.

§ 87(2)(g) § 87(2)(b) stated that Officer Bulzoni and Officer Parkinson had entered the apartment to arrest her. § 87(2)(b) had said the two

officers each grabbed a side of her jacket and pulled her back into the hallway. Officer Parkinson took § 87(2)(b)'s left arm and extended it upward, while Officer Bulzoni removed § 87(2)(b)'s hat and threw it on the ground. Then Officer Bulzoni took her right arm, placed it behind her, and handcuffed her. Officers Bulzoni and Parkinson slammed § 87(2)(b) against the wall, making her right ear make contact with the wall. § 87(2)(b) mentioned only one slam against the wall in her initial narrative; at her CCRB interview she stated Officers Parkinson and Bulzoni repeatedly slammed her against the wall. Downstairs, after being handcuffed, § 87(2)(b) claimed that Officer Parkinson retightened her handcuffs, something all the officers denied.

§ 87(2)(g) According to Officer Bulzoni, he told § 87(2)(b) she was under arrest, and she reacted by saying she would not go anywhere with him and moved her arms and body around to keep him and Officer Parkinson from handcuffing her. § 87(2)(b) “flailed” her arms, striking Officer Bulzoni in the arm. According to all of the officers present, § 87(2)(b) did not re-enter the apartment, and officers did not go in the apartment to retrieve her. Officers Bulzoni and Parkinson grabbed § 87(2)(b) by her arms, and together, handcuffed her. Officer Bulzoni stated that § 87(2)(b) never made contact with the wall, “feel[ing] like the handcuffing took place nowhere near a wall.” Officer Parkinson remembered § 87(2)(b) “putting her hands on Officer Bulzoni”, trying to push “him off of her sister ... to stop him from handcuffing her. She was touching his arms and chest, pushing and blocking.” Officer Parkinson stated it took 1-2 minutes to handcuff her, “too long for her to have been cooperative.” During the course of being handcuffed, § 87(2)(b) was “turned toward” a wall in the hallway, but no part of her body touched the wall. Officer Navarro remembered § 87(2)(b) being placed up against the hallway wall, but did not recall if her head, face, or ear made contact with the wall. Officer Navarro did remember Officer Bulzoni being struck by § 87(2)(b) (though she believed Officer Bulzoni was struck in the face). Officer Parkinson did not mention § 87(2)(b) hitting Officer Bulzoni, only “pushing and blocking.” Officer Miele corroborated that § 87(2)(b) had grabbed Officer Bulzoni and cursed at him repeatedly.

Assessment of the Evidence

§ 87(2)(g)

[REDACTED]

When effecting an arrest, officers are permitted by Patrol Guide procedure 203-11 to use the “minimum necessary force (encl. A).” § 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

§ 87(2)(g) [REDACTED]

§ 87(2)(g) [REDACTED]

Allegations Not Pled

§ 87(2)(g) [REDACTED]

Allegation A) Officer Frank Bulzoni refused to provide his shield number to § 87(2)(b) [REDACTED]

Allegation B) Officer Frank Bulzoni entered § 87(2)(b) [REDACTED]

Allegation C) Officer Paul Parkinson entered § 87(2)(b) [REDACTED]

§ 87(2)(g) [REDACTED]

Allegation D) Officer Frank Bulzoni used physical force against § 87(2)(b) [REDACTED]

Allegation E) Officer Paul Parkinson used physical force against § 87(2)(b) [REDACTED]

§ 87(2)(g) [REDACTED]

Allegation F) Officer Paul Parkinson tightly handcuffed § 87(2)(b) [REDACTED]

§ 87(2)(g)

Allegation G) At the 71st Precinct stationhouse, Officer Frank Bulzoni refused to provide his shield number to § 87(2)(b)

§ 87(2)(b) stated that Officer Bulzoni refused to provide his badge number to § 87(2)(b) at the 71st Precinct stationhouse. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: